

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2003-005316

12/22/2003

COMMISSIONER EDWARD W. BASSETT

CLERK OF THE COURT
W. Brown
Deputy

IN RE THE MATTER OF
SARAH JENNIFER WALLACE

FILED: 01/19/2004

SARAH JENNIFER WALLACE
1621 W DENTON LN
PHOENIX AZ 85015

AND

MICHAEL ALBERT MILLER

MICHAEL ALBERT MILLER
1917 E CLARENDON
PHOENIX AZ 85016-0000

MCSO-OIC

HEARING ON ORDER OF PROTECTION

1:50 p.m. This is the time set for hearing on Order of Protection issued by Maricopa County Superior Court on November 18, 2003. Plaintiff, Sarah Jennifer Wallace, is present on her own behalf. Defendant, Michael Albert Miller, is present on his own behalf.

A recording of this proceeding is made by CD recording utilizing "For The Record" (FTR) in lieu of a court reporter or audio tape.

The following individuals are sworn:

Sarah Wallace
Michael Miller

Plaintiff's case:

Sarah Wallace testifies.

Plaintiff's exhibits 1, 2, 3, and 4 are marked for identification and are received in evidence.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2003-005316

12/22/2003

Side rests.

Defendant's case:

Michael Miller testifies.

Plaintiff's exhibit 5 is marked for identification.

Plaintiff's exhibit 6 is marked for identification and is received in evidence.

Plaintiff's exhibit 5 is received in evidence.

Side rests.

Based upon the testimony presented,

THE COURT FINDS by a preponderance of the evidence that there is reasonable cause to believe that Defendant, Michael Miller, has committed an act of domestic violence within the last year, specifically initiating contact with Plaintiff, Sarah Wallace.

THE COURT FURTHER FINDS that the testimony presented by Plaintiff, Sarah Wallace, regarding the children, Michael Miller (DOB: 05/24/1996) and Kytarian Miller (DOB: 09/28/1997), to be incredible. The Court cannot find reasonable cause to include the children on the Order of Protection. Accordingly,

THE COURT FINDS it appropriate that the Order of Protection issued by Maricopa County Superior Court on November 18, 2003 be modified as follows:

- To remove the children, Michael Miller (DOB: 05/24/1996) and Kytaryn Miller (DOB: 09/28/1997), from the Order of Protection.
- To remove the children's school from the Order of Protection.

IT IS ORDERED settling and approving formal written Modified Order of Protection signed by the Court on December 22, 2003 and filed by the clerk on December 22, 2003.

IT IS FURTHER ORDERED settling and approving formal written Hearing Order signed by the Court on December 22, 2003 and filed by the clerk on December 22, 2003.

ISSUED: Hearing Order, Modified Order of Protection, and Acceptance of Service.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2003-005316

12/22/2003

LET THE RECORD REFLECT that Defendant, Michael Miller, signs an Acceptance of Service Form in open Court.

LET THE RECORD REFLECT that the parties receive copies of the aforementioned documents in open Court.

FILED: Exhibit Worksheet.

3:10 p.m. Matter concludes.